Attorney Docket No.: RSM014001

MAY 0 4 2004 TO

Filed

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2611

Examiner : Conf. No. : 3742

Title : SERVICES BASED ON POSITION LOCATION USING BROADCAST CEIVED

DIGITAL TELEVISION SIGNALS

MAY 0 6 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Pierce et al.

: 10/008,613 : 11/8/2001

Technology Center 2600

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- □ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

1 hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patepts, PO Box 1450, Alexapdria, VA 22313-1450.

Date of Deposit

Signature

Diane Dunning

Typed or Printed Name of Person Signing Certificate

Applicant : Pierce Attorney's Docket No.: RSM014001 Serial No.: 10/008,613 Page: 2 Filed : 11/8/2001 П attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR Applicant certifies pursuant to 37 CFR § 1.97(e) that: each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement: OR no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement: before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and: Applicant certifies pursuant to 37 CFR. § 1.97(e) that: each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according

to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_/\_\_\_\_\_ filed on \_\_\_\_\_\_ and the documents cited therein are

application No. \_/\_\_\_, filed on \_\_\_\_\_, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

Bach item of information contained in this Information Disclosure Statement was cited in

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Pierce Serial No. : 10/008,613 Filed : 11/8/2001 Attorney's Docket No.: RSM014001

Page: 3

Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed documents and favorable action are respectfully requested.

343 Soquel Avenue, Suite 311

Santa Cruz, CA 95062 Telephone: 831.420.0561 Facsimile: 413.541.0092 Respectfully submitted,

Richard A. Dunning, Jr.

Attorney/Agent for Applicant(s)

Reg. No. 42502

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Examiner

/Timothy Newlin/

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE r the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Substitute for form 1449A/PTO Appl. No. & Conf. No. 10/008,613 3742 ÎNFORMATION DISCLOSURE Filing Date 11/8/2001 STATEMENT BY APPLICANT First Named Inventor Pierce et al. Group Art Unit 2611

Examiner Name

Attorney Docket Number

				U.S. PATENT DOCUMEN	TS		
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/T.N./	Α	2003/0122711	A1	Panasik et al.	07-03-2003		
N/	В	4,652,884		Starker	03-24-1987		
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2 222 922	Α	Spectronics Micro System	03-21-1990		Г
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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NON PATENT LITERATURE DOCUMENTS

Sheet 2 of 2 Attorney Docket Number RSM014001

NON PATENT	LITERA	ATURE DOCUMENTS	_
Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
/T.N./	F	LI X, et al., "Indoor Geolocation Using OFFM Signats in HIPERLANIZ Wireless LANS," 11" IEEE International Symposium on Personal Indoor and Mobile Radio Communications, PIMRC 2000, Proceedings (Cat. No. 00TH8525), Proceedings of 11 <sup>th</sup> International Symposium on Personal Indoor and Mobile Radio Communication, London, UK, Sept. 18-21, pp. 1449-1453, Vol. 2, XPO10520871, 2000, Piscataway, NJ, USA, IEEE, USA, ISSN, 97805-6455, Chapter 1 and III	
/T.N./	G	RABINOWITZ, M., et al., "Positioning Using the ATSC Digital Television Signal," Rosum whitepaper, Onlinel 2001, XP002255053, Retrieved from the Internet on 03-13-2003 at URL www.rosum.com/whitepaper 8-7-01.pdf	
/T.N./	н	EP Abstract/Zusammenfassung/Abrege, 02102666.1	
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<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

/Timothy Newlin/

Examiner

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